

PUBLIC VERSION

BEFORE THE
SURFACE TRANSPORTATION BOARD

M & G POLYMERS USA, LLC

Complainant,

v.

CSX TRANSPORTATION, INC.

Defendant.

230923
Docket No. NOR 42123

Office of the Secretary

Sept. 07 2011

Part of
Public Record

SECOND ERRATA TO REBUTTAL MARKET DOMINANCE EVIDENCE

M&G Polymers USA, LLC ("M&G") hereby files this Second Errata to Rebuttal Market Dominance Evidence ("Second Errata"). M&G filed its Rebuttal Market Dominance Evidence on August 4, 2011, and filed an Errata on August 23, 2011. M&G respectfully requests that the Surface Transportation Board ("Board" or "STB") accept this Second Errata. All corrections are to Volume I of the Rebuttal Evidence.

On page II-B-153, in the right-hand column (named "M&G Rebuttal"), in item #6, the last sentence should read:

Furthermore, Apple Grove is uncovered, meaning that truck-to-rail transloads are impermissible. See Part II-B-2.f.

On page II-B-159, in the box labeled "M&G description of feasibility of alternative", the second sentence should read:

Rail yard is not a transload site, trucking would impermissibly require double-transload (from rail cars at Parkersburg and back into rail cars at Apple Grove), Apple Grove is uncovered, and other reasons.

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On page II-B-161, in the right-hand column (named “M&G Rebuttal”), in item #6, the first sentence on page II-B-161 (this is the second sentence in item #6, because the first sentence of item #6 is on page II-B-160) should read:

Any PLT trucked from Parkersburg must also absorb the price of CSXT rail transportation to Parkersburg.

The fourth sentence of item #6 on page II-B-161 (this is the fifth sentence overall of item #6) should read:

Apple Grove is also uncovered, meaning that truck-to-rail transloads are impermissible. See Part II-B-2.f.

On page II-B-166, in the center column (named “CSXT Reply”), in item #5, the state location for Belpre should be “OH” (and not “OR”). CSXT correctly labeled it as “Belpre, OH” in the CSXT Reply Evidence.

On page II-B-167, in the right-hand column (named “M&G Rebuttal”), in item #6, the first sentence should read:

Using trucks for delivery to Belpre would require a double transload, into the trucks at Columbus and then into rail cars at Belpre.

On page II-B-177, in the right-hand column (named “M&G Rebuttal”), in item #4, the last sentence should read:

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On page II-B-178, in the right-hand column (named “M&G Rebuttal”), in item #8, the sentence should read:

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¹ All text within single brackets is {CONFIDENTIAL} and all text within double brackets is {{HIGHLY CONFIDENTIAL}} pursuant to the Protective Order adopted in this proceeding.

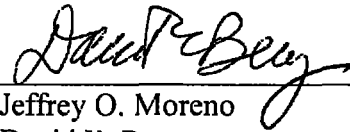
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On page II-B-199, in the first box labeled "M&G description of feasibility of alternative", the third sentence ("Moreover, alternative...site is uncovered.") should be deleted in its entirety.

On page II-B-222, in the right-hand column (named "M&G Rebuttal"), in item #9, the second sentence should read:

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Respectfully submitted,



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September 7, 2011

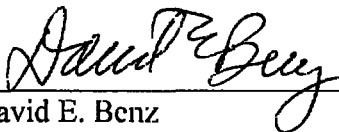
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CERTIFICATE OF SERVICE

I hereby certify that this 7th day of September 2011, I served a copy of the foregoing upon counsel for defendant CSXT via electronic mail and U.S. mail at the address below:

G. Paul Moates
Paul Hemmersbaugh
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David E. Benz